

IBM Docket No. JP920000096US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Applicants:

Natsuyama et al.

Serial No.: 09/681,674

Filed: May 18, 2001

Date: May 5, 2003

Group Art Unit: 2871

Examiner: Rude

Docket No.: JP920000096US1

For: LIQUID CRYSTAL DISPLAY DEVICE AND A METHOD THEREOF# 10
Skarne
5-7-03Assistant Commissioner for Patents
Washington, D. C. 20231

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (2 pages, remarks) is being facsimile transmitted under Rule 37 CFR 1.6(d) to the U.S. Patent and Trademark Office to (703) 872-9319 on May 5, 2003.



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REMARKS

In response to the Final Office Action dated April 29, 2003, applicants offer the following remarks addressing the outstanding Office Action.

The finality of Office Action dated April 29, 2003 is pre-mature and improper for the following reasons.

First, the Examiner rejected claims 4 – 6 under 35 U.S.C. § 102(e) as being anticipated by Muramatsu '838 in view of Glaser et al '039. This is an improper rejection under 35 U.S.C. § 102(e).

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Second, as noted by Applicant's previous amendment dated March 18, 2003, original claim 4 was amended to include the limitations of original claim 8. Accordingly, claim 8 was cancelled. No new, "non-examined", subject matter was presented in the amended claim 4 filed March 18, 2003.

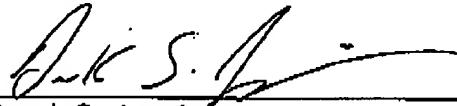
Accordingly, the finality of the Office Action dated April 28, 2003 should be withdrawn and a new, non-final Office Action should be issued with a re-starting of the shortened statutory period for reply.

Please charge any fee necessary to enter this paper and any previous paper to deposit account 09-0468.

In the event that this paper does not result in allowance of all such claims, the undersigned respectfully requests a telephone interview at the Examiner's earliest convenience.

Respectfully submitted,

By:


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